

Congress of the United States
Washington, DC 20515

February 9, 2004

Administrator Michael O. Leavitt
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Leavitt,

We are disappointed by the Environmental Protection Agency's (EPA) recent proposals to regulate the sulfur dioxide, nitrogen oxide and mercury emitted by our nation's power plants. These new rules do not go far enough to reduce harmful emissions and fail to adequately address the threat that air pollution poses to both public health and the global climate.

The agency's proposed Utility Mercury Reductions rule, for example, ignores the applicable requirements of the Clean Air Act and seeks to reduce mercury emissions by only 29 percent from current levels by 2010. Industry already possesses the technology, however, to achieve reductions of up to 80 or 90 percent. In addition, studies continue to provide convincing evidence of mercury's potency as a neurotoxin, including its damaging effects on the neurological development of young children. According to the Centers for Disease Control, as many as one in 12 women of child-bearing age suffer from elevated blood levels of mercury. We believe the Administration can act more decisively to eliminate this threat to public health. Available technology already puts this goal within reach, and we see little reason not to act now.

We are likewise disappointed by the agency's Interstate Air Quality Rule, which aims to achieve a 40 percent reduction in SO₂ emissions by 2010 and an approximately 65 percent reduction in NO_x emissions by 2015. While we applaud the Administration for pursuing significant reductions in the emission of these pollutants, the targets proposed in the Interstate Air Quality rule nevertheless fall short of the Clean Air Act's original intent. The EPA's proposed rule affects power plant emissions in only 29 states and the District of Columbia, rather than pursuing a national goal for pollutant reduction. Moreover, this regulation fails to address the issue of carbon dioxide pollution, a key component in global warming.


We believe that the Clean Air Act requires a more ambitious, nationwide approach toward reducing air pollution. At least two proposals now pending in Congress call for significantly greater reductions in SO₂ and NO_x emissions than the Administration's proposed regulations and would also achieve these targets more quickly. These proposals moreover confront the burgeoning problem of carbon dioxide pollution and global warming.

Though presented as a routine rulemaking, these regulations seek to set the course of national environmental policy for at least the coming decade. Such far-reaching proposals need to comply with the requirements of the Clean Air Act and require full and fair public debate. In the event that the Administration chooses to deviate from the language of the Clean Air Act, it is critical that the Administration seek the full participation and consent of Congress.

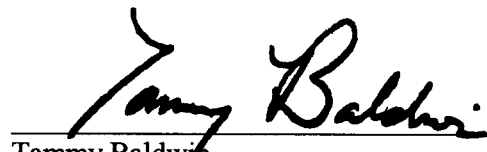
We urge you to strengthen the agency's current proposals, and we ask that you work with Congress over the coming year on a consensus approach. We are confident that the nation's air quality and public health can only benefit.

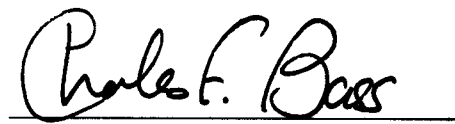
Sincerely,

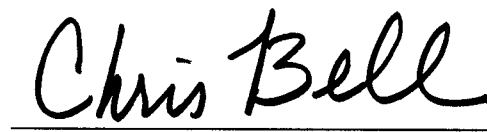

Jim Cooper
Member of Congress



Jim Davis
Member of Congress

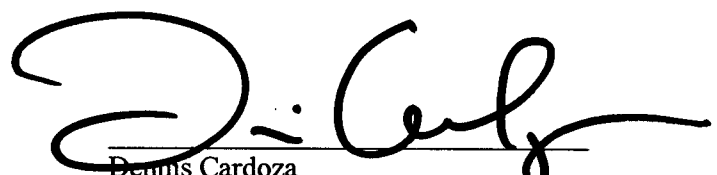

Neil Abercrombie
Member of Congress


Tammy Baldwin
Member of Congress



Charles F. Bass
Member of Congress


Chris Bell
Member of Congress

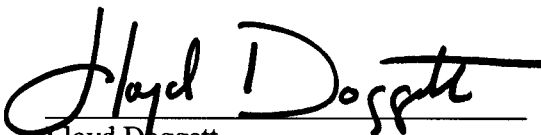

Howard L. Berman
Member of Congress



Dennis Cardoza
Member of Congress



Ed Case
Member of Congress


William D. Delahunt
Member of Congress

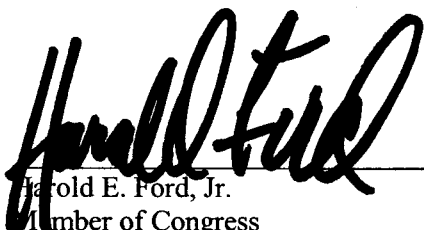

Rosa L. DeLauro
Member of Congress

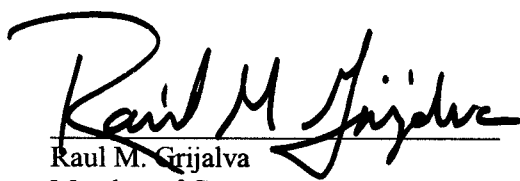

Lloyd Doggett
Member of Congress

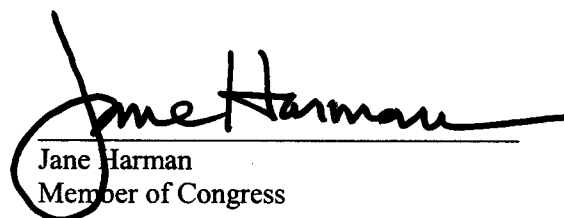

Rahm Emanuel
Member of Congress

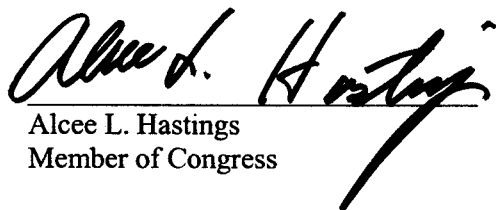

Anna G. Eshoo
Member of Congress


Bob Filner
Member of Congress

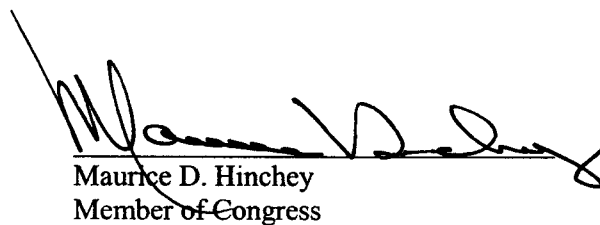

Harold E. Ford, Jr.
Member of Congress


Raul M. Grijalva
Member of Congress


Jane Harman
Member of Congress



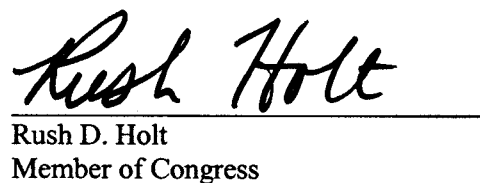
Alcee L. Hastings
Member of Congress



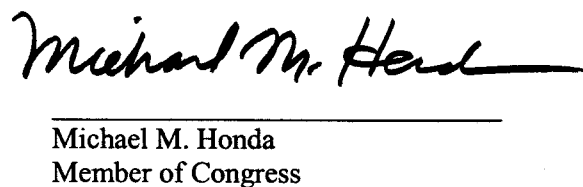
Maurice D. Hinchey
Member of Congress



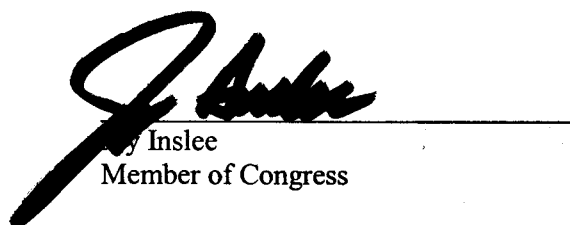
Joseph M. Hoefl
Member of Congress



Rush D. Holt
Member of Congress



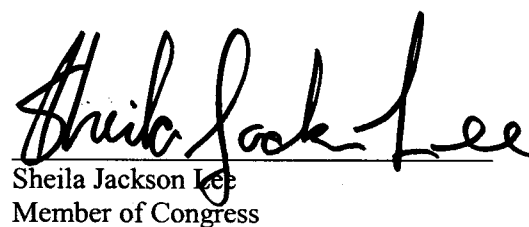
Michael M. Honda
Member of Congress



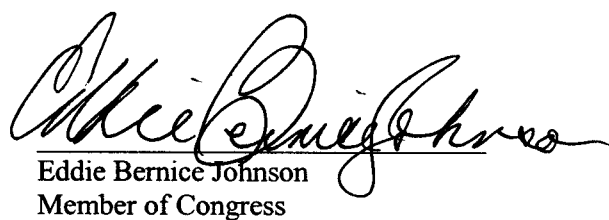
Jay Inslee
Member of Congress



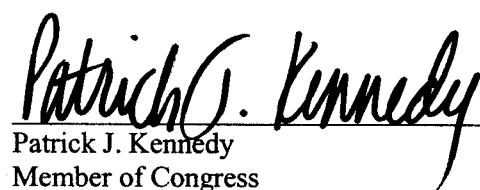
Steve Israel
Member of Congress



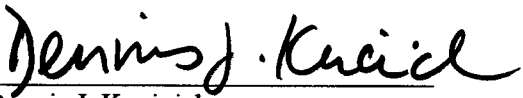
Sheila Jackson Lee
Member of Congress




Eddie Bernice Johnson
Member of Congress

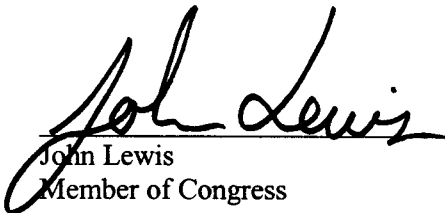


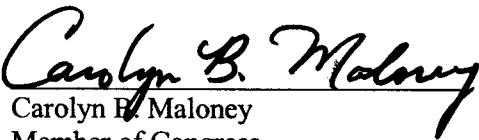
Patrick J. Kennedy
Member of Congress

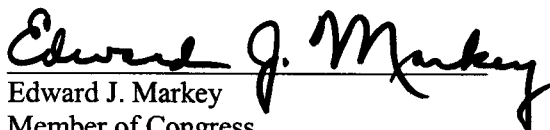

Dennis J. Kucinich
Member of Congress

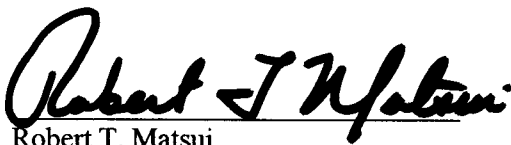

James R. Langevin
Member of Congress

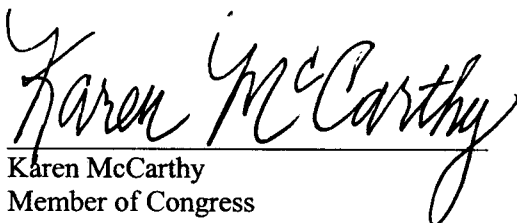

Barbara Lee
Member of Congress

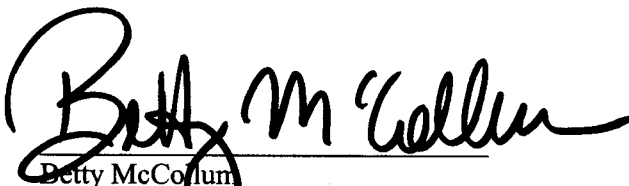

John Lewis
Member of Congress



Carolyn B. Maloney
Member of Congress

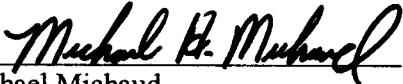

Edward J. Markey
Member of Congress

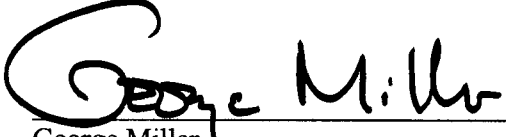

Robert T. Matsui
Member of Congress



Karen McCarthy
Member of Congress

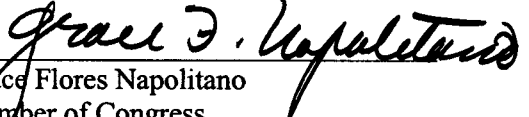

Betty McCollum
Member of Congress



Jim McDermott
Member of Congress

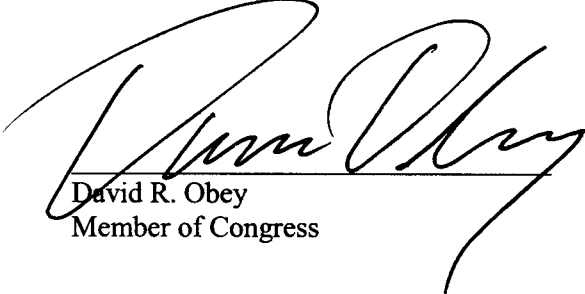

Michael Michaud
Member of Congress



George Miller
Member of Congress

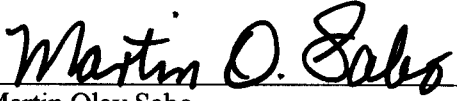

James P. Moran
Member of Congress



Grace Flores Napolitano
Member of Congress



Richard E. Neal
Member of Congress

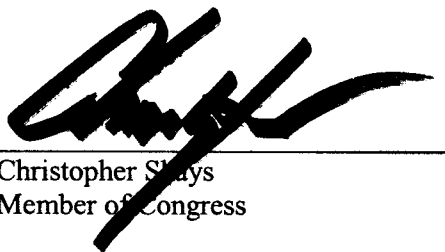

David R. Obey
Member of Congress


Major R. Owens
Member of Congress



Martin Olav Sabo
Member of Congress


Bernard Sanders
Member of Congress

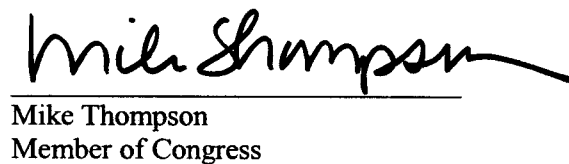

Adam B. Schiff
Member of Congress



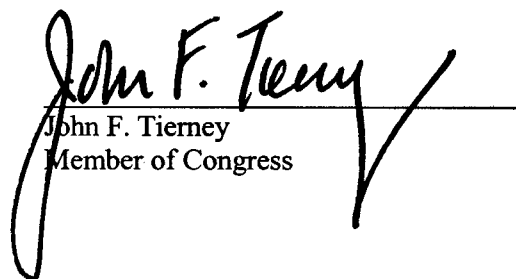
Christopher Shays
Member of Congress



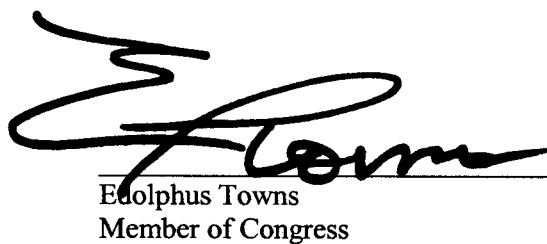
Fortney Pete Stark
Member of Congress



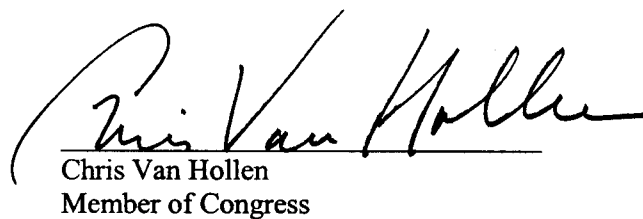
Mike Thompson
Member of Congress



John F. Tierney
Member of Congress



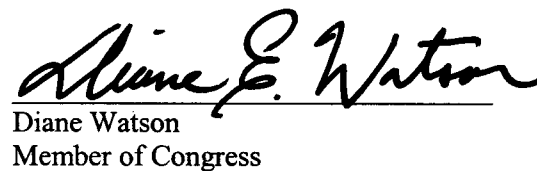
Edolphus Towns
Member of Congress



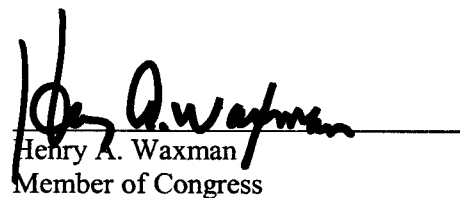
Chris Van Hollen
Member of Congress



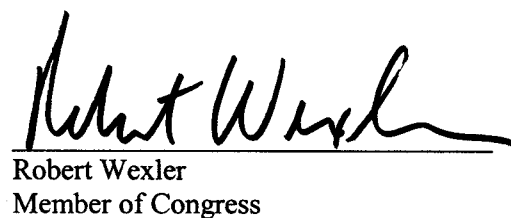
Maxine E. Waters
Member of Congress



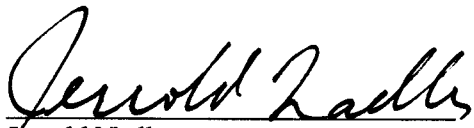
Diane Watson
Member of Congress



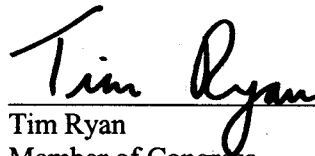
Henry A. Waxman
Member of Congress



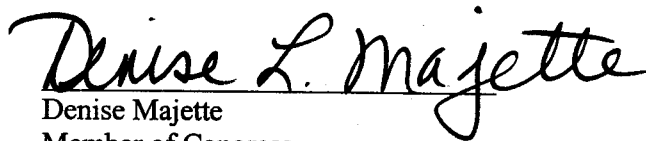
Robert Wexler
Member of Congress



Jerrold Nadler
Member of Congress



Tim Ryan
Member of Congress



Denise Majette
Member of Congress